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JAN 25 2010

U.S. DISTRICT COURT IN THE UNITED STATES DISTRICT COURT
MID. DIST. TENN. MIDDLE DIVISION OF TENNESSEE
AT NASHVILLE

PAUL GRAHAM MANNING

PETITIONER,

V.

GLEN TURNER, WARDEN

RESPONDENT.

CASE NO. 2:05-cv-0024
JUDGE HAYNES

ORDER

This motion is DENIED without prejudice to Renew by Petitioner's Counsel

Will go to court 4/13-10

MOTION TO OBJECT
TRAVERSE AND AMEND

COMES NOW THE PETITIONER, PAUL GRAHAM MANNING AND PURSUANT TO TITLE 28 § 2248, DOES NOW MOVE THAT THIS HONORABLE COURT GRANT HIM LEAVE AND A TIME EXTENTION TO FULLY AND PROPERLY ANSWER THE STATE'S MOTION TO DISMISS. IN SUPPORT OF THIS MOTION, THE PETITIONER WOULD NOW AVER TO THE FOLLOWING:

(1). FOR THE SECOND(2nd)TIME, AN APPOINTED ATTORNEY, THOMAS J. DRAKE, HAS REFUSED AND/OR FAILED TO PRESENT THE FULL FACTS OF THE EVENTS THAT ACTUALLY AND FACTUALLY TRANSPIRED IN THE CASE. WHETHER THIS REFUSAL AND/OR FAILURE IS DUE TO MISCONDUCT/ UNETHICAL CONCERNS, UNPROFESSIONALISM AND/OR INCOMPETENCE IS FOR THIS COURT TO DECIDE. THIS PETITIONER, ABSOLUTELY REFUSES TO BE SADDLED WITH ANY ATTORNEY WHO WILL NOT UPHOLD AND ABIDE BY THE CONSTITUTION AND KNOWN, SETTLED LAW.

AS THIS COURT WELL KNOWS, ONE OF THE MOST IMPORTANT PARTS OF ANY HABEAS CORPUS PROCEEDINGS IS THE FULL AND COMPLETE CORRECTNESS OF THE RECORD. A RECORD THAT IS NOT FULL AND COMPLETE OR FACTUALLY INCORRECT, LEAVES ROOM FOR DISPUTE OF THE FACTS, BY THEM BEING MISCONSTRUED OR WRONGFULLY MISINTERPETED. MR. DRAKE, FOR WHATEVER HIS REASONS, HAS NOW FILED WHAT HE TERMS AN ANSWER TO THE STATE'S MOTION TO DISMISS. THE SO-CALLED ANSWER CONTAINS NUMEROUS MISCONSTRUED SO-CALLED FACTS, OMITS AND DELETES VITAL EVIDENCE, PLUS PRESENTS CERTAIN FACTUAL EVENTS IN A TOTAL AND DIFFERENT LIGHT FOR THE FIRST TIME. AS A CLEAR EXAMPLE OF DELETION, MR. DRAKE STATED THAT THERE WERE TWO(2)DIFFERENT ERLANGER HOSPITAL REPORTS, OF THE MANNING